



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

15 December 2007

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

ADEM = Alabama Department of Environmental Management
ANPRM = Advance Notice of Proposed Rulemaking
ARB = Air Resources Board
CAA = Clean Air Act
CAAWG = Clean Air Act Working Group
CAIR = Clean Air Interstate Rule
CCR = *California Code of Regulations*
CCSP = Climate Change Science Program
CFR = *Code of Federal Regulations*
COMAR = Code of Maryland Regulations
CRNR = *California Regulatory Notice Register*
DAPC = Division of Air Pollution Control
DOE = U.S. Department of Energy
DSW = Division of Surface Water
EMD = Environmental Management Division
EPA = U.S. Environmental Protection Agency
EWIR = Emission warranty information reporting
FAW = *Florida Administrative Weekly*
FDEP = Florida Department of Environmental Protection
FR = *Federal Register*
GSE = Ground support equipment
HAP = Hazardous air pollutant
HQ = Headquarters
HTML = HyperText Markup Language
LAC = Louisiana Administrative Code
LDEQ = Louisiana Department of Environmental Quality
MACT = Maximum achievable control technology
MAF = Michoud Assembly Facility
MEK = Methyl ethyl ketone
MSFC = Marshall Space Flight Center
NAAQS = National Ambient Air Quality Standards

NASA = National Aeronautics and Space Administration
NESHAP = National Emission Standards for Hazardous Air Pollutants
NM = New Mexico
NMAC = New Mexico Administrative Code
NOx = Nitrogen oxide
NPDES = National Pollutant Discharge Elimination System
NPRM = Notice of Proposed Rulemaking
OAC = Ohio Administrative Code
ODS = Ozone depleting substance
OEPA = Ohio Environmental Protection Agency
OSHA = Occupational Safety and Health Administration
OTC = Ozone Transport Commission
PFAC = Perfluoroalkyl carboxylates
PFAS = Perfluoroalkyl sulfonates
PM = Particulate matter
RIN = Regulatory Identification Number
RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
SIP = State implementation plan
SNUR = Significant New Use Rule
TCEQ = Texas Commission on Environmental Quality
U.S. = United States
UIC = Underground injection control
UST = Underground storage tank
Va.R. = *Virginia Register*
VAC = Virginia Administrative Code
VOC = Volatile organic compound
VPDES = Virginia Pollution Discharge Elimination System
WSTF = White Sands Training Facility
WWTP = Wastewater treatment plant

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts on NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-274	CAA Exceptional Events Rule	12/14/2007	72 FR 71072	Notice	<p>Exceptional Events Rule; Notice of Action Denying Petition for Reconsideration [40 CFR Parts 50, 51]</p> <p>Denies a petition for reconsideration of the Exceptional Events Rule, which governs the review and handling of air quality monitoring data influenced by exceptional events [RIN 2060-AN40].</p>	
Fed-2007-275	CAA NESHAP	12/12/2007	72 FR 70543	Proposed Rule	<p>National Emission Standards for HAP Emissions: Group I Polymers and Resins (Polysulfide Rubber Production, Ethylene Propylene Rubber Production, Butyl Rubber Production, Neoprene Production); NESHAP for Epoxy Resins Production and Non-nylon Polyamides Production; NESHAP for Source Categories: Generic MACT Standards (Acetal Resins Production and Hydrogen Fluoride Production) [40 CFR Part 63]</p> <p>Requests comments on the residual risk and technology reviews for eight industrial source categories regulated by four NESHAPs. The source categories are as follows:</p> <ul style="list-style-type: none"> ▪ Butyl Rubber Production ▪ Ethylene-Propylene Rubber Production ▪ Polysulfide Rubber Production ▪ Neoprene Production ▪ Epoxy Resins Production ▪ Non-nylon Polyamides Production ▪ Acetal Resins Production ▪ Hydrogen Fluoride Production <p>Proposes that no revisions to the national emission standards regulating the eight source categories are required at this time. Comments are due 02/11/2008 [RIN 2060-AO16].</p> <p>This rule would apply to the subject manufacturing processes. Because EPA is proposing no changes, no impact would be expected.</p>	
Fed-2007-276	CAA ODS	12/03/2007	72 FR 67930	Notice	<p>Protection of Stratospheric Ozone: Request for Applications for Essential Use Allowances for 2009 and 2010</p> <p>Requests applications for essential use allowances for calendar years 2009 and 2010. Essential use allowances provide exemptions from the production and import phaseout of ODSs. Applications are due 01/02/2008.</p>	
Fed-2007-277	Climate Change	12/05/2007	72 FR 68571	Notice	<p>National Oceanic and Atmospheric Administration, U.S. Department of Commerce</p> <p>U.S. Climate Change Science Program Synthesis and Assessment Product Draft Report 3.2: "Climate projections for research and assessment based on emissions scenarios developed through the CCSP"</p> <p>Announces public comment period for the draft report titled, U.S. Climate Change Science Program Synthesis and Assessment Product 3.2: "Climate projections for research and assessment based on emissions scenarios developed through the CCSP." Comments are due 01/22/2008 [RIN 0648-XE01].</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-278	Controlled Substances Act	12/03/2007	72 FR 67850	Final Rule	U.S. Drug Enforcement Administration, Department of Justice Definition of "Positional Isomer" as It Pertains to the Control of Schedule I Controlled Substances [21 CFR Part 1300] Finalizes the definition of "positional isomer" to assist in determining the control status of materials that are isomers of Schedule I substances. Effective 01/08/2008 [RIN 1117-AA94].	
Fed-2007-279	Endangered Species	12/06/2007	72 FR 69033	Notice	U.S. Fish and Wildlife Service, Department of the Interior Endangered and Threatened Wildlife and Plants; Review of Native Species that are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions [50 CFR Part 17] Presents an updated list of plant and animal species native to the United States that are candidates for or that have been proposed for addition to the Lists of Endangered and Threatened Wildlife and Plants, as follows: <ul style="list-style-type: none"> Recognizes five new candidates. Changes the listing priority number for 29 candidates. Removes 4 species from candidate status. Comments will be accepted on a continuing basis.	
Fed-2007-280	Energetic Materials	12/07/2007	72 FR 69228	Notice	Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice Commerce in Explosives; List of Explosive Materials (2007R-7T) [27 CFR 555.23] Fulfills requirement to publish and revise at least annually a list of explosives determined to be within the coverage of 18 U.S.C. 841 et. seq., including explosives, blasting agents, and detonators. Effective 12/07/2007.	
Fed-2007-281	Energy	12/03/2007	72 FR 67922	Notice	Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy Request for Information (DE-PS36-08GO38002) and Notice of Pre-Solicitation Workshop for a Planned Fuel Cell Funding Opportunity Announcement (DE-PS36-08GO98009) Requests information regarding potential topic areas for research, development, and demonstration that will improve fuel cell technology. Announces Pre-Solicitation Workshop in preparation for related Funding Opportunity Announcement. More information is available on DOE's website . Comments are due 12/21/2007. Workshop is scheduled for 01/23 and 01/24/2008 in Golden, Colorado.	
Fed-2007-282	Migratory Bird Act Use of Raptors for Abatement	12/10/2007	72 FR 69705	Notice	U.S. Fish and Wildlife Service, Department of the Interior Final Permit Conditions for Abatement Activities Using Raptors [50 CFR Parts 10, 13, 21, and 22] Notice of finalized permit conditions to allow the use of raptors protected by the Migratory Bird Treaty Act for abatement activities under Special Purpose permits. "Abatement" means the training and use of raptors to flush, haze, or take birds (or other wildlife where allowed) to mitigate depredation and nuisance problems, including threats to human health and safety.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-283	Nuclear	12/04/2007	72 FR 68043	Notice	<p>Nuclear Regulatory Commission</p> <p>Expanded Definition of Byproduct Material; Notification of Waiver Termination [10 CFR Chapter I]</p> <p>In accordance with the provisions of the "Plan for the Transition of Regulatory Authority Resulting from the Expanded Definition of Byproduct Material," announces that certain states have a program to license byproduct material that is adequate to protect the public health and safety. Among the states listed are the following:</p> <ul style="list-style-type: none"> Alabama California Florida Louisiana Maryland Mississippi New Mexico Ohio Texas <p>Announces the termination of the time-limited waivers of the Energy Policy Act of 2005 requirements granted to each of these states. Users of the newly added byproduct material currently licensed or registered by these states will continue to be subject to the state regulatory authority. Effective 11/30/2007 [RIN 3150-AH84].</p>	
Fed-2007-284	Nuclear	12/04/2007	72 FR 68043	Notice	<p>Nuclear Regulatory Commission</p> <p>Occupational Dose Records, Labeling Containers, and the Total Effective Dose Equivalent [10 CFR Parts 19, 20, and 50]</p> <p>Amends nuclear-related regulations. Includes the following changes:</p> <ul style="list-style-type: none"> Limits the routine reporting of annual doses to workers. Amends the definition of Total Effective Dose Equivalent. Modifies labeling requirements for certain containers holding licensed material within nuclear power facilities. Removes the requirement that licensees attempt to obtain cumulative exposure records for workers unless these individuals are being authorized to receive a planned special exposure. <p>Effective 01/03/2008 [RIN 3150-AH40].</p>	
Fed-2007-285	OSHA	12/14/2007	72 FR 71061	Direct Final Rule	<p>Occupational Safety and Health Administration, Department of Labor</p> <p>Updating OSHA Standards based on National Consensus Standards [29 CFR Part 1910]</p> <p>Removes several references to consensus standards that have requirements that duplicate, or are comparable to, other OSHA rules. Also corrects a paragraph citation. Effective 03/13/2008 unless adverse comments are received by 01/14/2008 [RIN 1218-AC08].</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-286	Regulatory Agenda	12/10/2007	72 FR 69737	Semiannual Agenda	<p>Regulatory Information Service Center</p> <p>Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions</p> <p>Provides an introduction to the semiannual regulatory agenda for fall 2007, which contains the plans and rulemaking agendas of certain federal entities. Published to update the public about the following:</p> <ul style="list-style-type: none"> Regulations and major policies currently under development Reviews of existing regulations and major policies Rules and major policymakings completed or canceled since the last agenda <p>This edition of the FR contains the agendas for agencies that may be of interest to NASA, including the following:</p> <ul style="list-style-type: none"> Department of Labor (OSHA)-72 FR 70088 EPA-72 FR 70118 NASA (General Services)-72 FR 70144 	
Fed-2007-287	Regulatory Agenda	12/10/2007	72 FR 69743	Semiannual Agenda	<p>Regulatory Information Service Center</p> <p>Fall 2007 Regulatory Plan</p> <p>Fall 2007 Regulatory Plan. Published as part of the fall 2007 edition of the Unified Agenda of Federal Regulatory and Deregulatory Actions. Statement of regulatory and deregulatory policies and priorities. The purpose of the Plan is to make the regulatory process more accessible to the public and to ensure planning and coordination. Identifies regulatory priorities and contains information about the most significant regulatory actions that federal agencies expect to undertake in the coming year.</p>	

1.2 Status of Continuing Actions in Progress

This section provides the status of selected actions the RRAC PC is currently tracking. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins/MSFC.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	01/2008	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
Final Action	12/2008			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
ANPRM	03/29/2007	NESHAP: Risk and Technology Review, Phase II [2060-AN85]	Pre-rule	Possible space vehicle operational or materials impacts.
NPRM	11/2007			Evaluation of residual risk remaining after the implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities.
Final	11/2008			
NPRM	07/16/2007	National VOC Rule for Aerosol Coatings [2060-AN69]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	12/2007			The rule would impose limits on VOC content for aerosol coatings. The limits would apply to coating manufacturers, and could be a driver for formulation changes to reduce VOC content.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	09/17/2007 72 FR 52957	Area Sources: Surface Coating and Paint Stripping [2060-AN21]	Proposed Rule	Possible space vehicle operational or materials impacts.
Final Action	12/2007			The proposed standard would regulate certain surface coating, cleaning, and paint stripping operations at area sources of HAPs, potentially including some space vehicle operations. A regulatory alert was prepared regarding this rulemaking and is available on the RRAC PC website .
NPRM	01/03/2007 72 FR 69	NESHAP General Provisions—Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
Final Action	12/2007			Could have an effect on how NESHAPs affect certain NASA Centers and vendor facilities.
NPRM	03/07/2006 71 FR 11483	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	04/2008			Rule would require manufacturers to notify EPA of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.

1.3 Significant News and Other Developments

1.3.1 EPA Publishes Regulatory Plan and Agenda

On 10 December 2007, EPA released its Regulatory Plan outlining 30 of the most significant regulations it plans to issue by October 2008. EPA also released its Semiannual Regulatory Agenda outlining more than 300 actions under development or review and actions that were completed or withdrawn since the spring 2007 agenda was published. For the first time, detailed information regarding EPA's agenda is available exclusively online rather than in the FR. Additional information about EPA's Regulatory Plan and Semiannual Regulatory Agenda is available on EPA's website at: <http://www.epa.gov/opei/orpm.html#agenda>.

1.3.2 EPA Accepting Nominations for Green Chemistry Awards

EPA is accepting nominations for the 2008 Presidential Green Chemistry Challenge Awards to recognize innovative chemical technologies that incorporate green chemistry into chemical design, manufacture, and use that have broad applications in industry. Nominated technologies should reduce or eliminate the use or generation of hazardous substances from a chemical product or process. Each nominated technology must have reached a significant milestone within the past 5 years in the U.S.. Nominations must be submitted no later than 31 December 2007 to be eligible for the 2008 awards, which will be presented on 24 June 2008 at the National Academy of Sciences in Washington, D.C. Additional information regarding the Green Chemistry Awards is available at EPA's website at: <http://www.epa.gov/greenchemistry/pubs/pgcc/howto.html>.

1.3.3 EPA Seeking Early Input on Standards for Airborne Lead

EPA is seeking early comments on options under consideration for the NAAQS for lead. EPA has released an ANPRM on the NAAQS for lead with a new part of the NAAQS review process that offers an additional public comment period before EPA issues the proposed rule.

EPA is requesting comments regarding the available scientific information on current lead exposures for both airborne sources and other sources, and on lead monitoring issues that will be taken into consideration as EPA develops the proposed rule. EPA will accept comments on the ANPRM for 30 days after its publication in the FR. EPA is required by a consent decree to issue a proposal regarding the lead standards by 1 May 2008, and to issue a final rule by 1 September 2008. Additional information about the rulemaking is available at EPA's website at: http://www.epa.gov/ttn/naaqs/standards/pb/s_pb_cr_fr.html.

1.3.4 Status of Emerging Actions

A consolidated list of emerging actions being tracked by NASA HQ/EMD is available on the [RRAC PC website](#), under Regulatory Alerts. Updates will be noted in this section as they become available. Please direct any comments or questions to Dr. Linda Wennerberg/HQ (linda.s.wennerberg@nasa.gov) and Sharon Scroggins/MSFC (sharon.scroggins@nasa.gov).

1.4 Clean Air Act Working Group Updates

1.4.1 Clean Air Act Working Group Telecons for 2008

The CAAWG will hold telecons on the following Wednesdays in 2008 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 16 January
- 20 February
- 19 March
- 16 April
- 21 May
- 18 June
- 16 July
- 20 August
- 17 September
- 15 October
- 19 November

2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for states in which NASA facilities are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL-2007-31	Air SIP	12/09/2007	ADEM Website	Notice Hearing	Alabama Department of Environmental Management (ADEM)–State Implementation Plan (SIP) Proposes to amend the Alabama SIP to adopt contingency measures for the maintenance of the 8-hour ozone NAAQS. ADEM is providing the opportunity for interested persons to request a public hearing and comment on the proposed revisions to the draft SIP . Hearing requests are due to ADEM on 01/08/2008. If ADEM receives a request for a hearing, it will be held 01/23/2008 at ADEM Headquarters, Montgomery, Alabama.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL-2007-32	Water USTs	11/30/2007	AAM Vol. XXVI, No. 2, p. 44	Proposed Amendments Hearing Notice	<p>335–Alabama Department of Environmental Management (ADEM) 6–Water Division 15–Technical Standards, Corrective Action Requirements and Financial Responsibility for Owners and Operators of Underground Storage Tanks</p> <p>Proposes to amend the following:</p> <ul style="list-style-type: none"> 335-6-15-.02 Definitions 335-6-15-.04 Interim Prohibition for Deferred UST Systems 335-6-15-.05 Notification Requirements 335-6-15-.06 Performance Standard for New USTs, Piping, UST Systems, and/or Dispensers 335-6-15-.11 Compatibility 335-6-15-.13 Reporting and Recordkeeping 335-6-15-.14 General Release Detection Requirements for all UST Systems 335-6-15-.15 Release Detection Requirements for Petroleum UST Systems 335-6-15-.17 Methods of Release Detection for Tanks 335-6-15-.24 Initial Release Response 335-6-15-.29 Corrective Action Plan 335-6-15-.31 Public Participation 335-6-15-.46 Severability <p>Proposes the new rule:</p> <ul style="list-style-type: none"> 335-6-15-.45 Delivery Prohibition <p>Amendments are intended to provide updated regulations to meet the requirements of the Delivery Prohibition Provisions of the Federal Energy Policy Act of 2005 and other necessary updates. A list of specific changes can be found in the Summary of Reason document. A hearing is scheduled for 01/04/2008 at the ADEM Headquarters, Montgomery, Alabama.</p>	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-156	Air	12/14/2007	CRNR 2007, 50Z, p. 2104	Notice Rule Adoption and Amendment	<p>Air Resources Board</p> <p>Emission Warranty and Recall Regulations [13 CCR 2166, 2166.1, 2167, 2168, 2169, 2170, 2171, 2172, 2172.1, 2172.2, 2172.3, 2172.4, 2172.5, 2172.6, 2172.7, 2172.8, 2172.9, 2173, 2174, 1956.8, 1958, 1961, 1976, 1978, 2111, 2122, 2136, and 2141]</p> <p>Proposes adoption and amendment of Title 13 EWIR and recall regulations and incorporated ARB–published emission test procedures. Would establish or clarify the proof required to demonstrate violations of ARB emission standards or test procedures; the corrective actions available to ARB to address violations; and the way emissions warranty information is reported to ARB. Effective 01/04/2008.</p>	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-157	Air Diesel Engines	12/07/2007	CRNR 2007, 49Z, p. 2057	Notice Public Hearing	Air Resources Board Verification Procedure, Warranty, and In-use Compliance Requirements for In-use Strategies to Control Emissions from Diesel Engines [13 CCR 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2708, 2709, and 2710] The ARB will conduct a public hearing on 01/24/2008 in Sacramento, California, to consider the adoption of amendments that would revise, clarify, and make specific requirements that pertain to the process for obtaining the ARB's verification of devices or strategies to control emissions from diesel engines.	
CA-2007-158	Endangered Species	12/11/2007	72 FR 70284	Notice Proposed Rule	U.S. Fish and Wildlife Service, Department of the Interior Endangered and Threatened Wildlife and Plants; Designations of Critical Habitat for the San Bernardino Kangaroo Rat (<i>Dipodomys merriami parvus</i>), <i>Poa atropurpurea</i> (San Bernardino bluegrass), and <i>Taraxacum californicum</i> (California taraxacum) [50 CFR Part 17] Announces the reopening of the public comment period and public hearings on the subject proposed rule. Comments are due 01/25/2008. Public hearing is scheduled on 01/10/2008 in San Bernardino, California [RIN 1018-AV07; 1018-AV04].	
CA-2007-159	Energy Efficiency	12/14/2007	CRNR 2007, 50Z, p. 2106	Notice Rule Amendment	California Energy Commission Appliance Regulations [20 CCR 1601, 1602, 1605.3, 1606] Deletes the state appliance energy efficiency regulations for digital television adapters. Federal standards have been adopted that are expected to result in slightly more energy savings. Effective 12/29/2007.	
CA-2007-160	Fuel Hazard Reduction	12/14/2007	CRNR 2007, 50Z, p. 2105	Emergency Notice Rule Modification	Board of Forestry and Fire Protection Emergency Notice for Fuel Hazard Reduction, 2007 [14 CCR 895.1, 1052, 1052.1, 1052.4] Modifies the fuel treatment standards, deletes the 4-foot flame length standard, establishes new treatment standards that reduce fire hazards, modifies the minimum post-harvest stocking standards to allow more areas to be eligible for the treatments, clarifies treatment requirements for better compliance, and removes the time limitation on the effectiveness of the regulations. Effective 01/01/2008.	
CA-2007-161	Proposition 65 Di(n-butyl) phthalate	12/07/2007	CRNR 2007, 49Z, p. 2074	Notice	Office of Environmental Health Hazard Assessment Proposition 65--Notice of Addition of Documents and Information [22 CCR 12805] Provides notice of additional documentation on previous notice regarding maximum allowable dose level for reproductive toxicity for di(n-butyl)phthalate. Comments are due 01/07/2008.	
CA-2007-162	Proposition 65 Nitromethane	12/07/2007	CRNR 2007, 49Z, p. 2069	Proposed Rule	Office of Environmental Health Hazard Assessment Proposition 65--Specific Regulatory Levels Posing No Significant Risk [22 CCR 12705] Proposes to establish a specific regulatory level posing no significant risk for nitromethane. Comments are due 01/22/2008.	
CA-2007-163	Safety Stair Railings	12/14/2007	CRNR 2007, 50Z, p. 2108	Rule Amendment	Occupational Safety and Health Standards Board Stair Railing Design Clarifies that the top of stair railings are to be 34 to 38 inches in height above the nosing of treads and landings for new installations on or after 04/03/1997. Effective 01/03/2008.	

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-137	Air Acid Rain	12/14/2007	FAW Notice #4945465	Proposed Rule	Chapter 62–FDEP 214–Requirements for Sources Subject to the Federal Acid Rain Program Proposed amendments address requirements for the Acid Rain Part of a Title V air operation permit for a source that is subject to the Federal Acid Rain Program or that elects to opt in to such program. The affected Rules include the following: <ul style="list-style-type: none"> 62-214.100 Purpose and Scope 62-214.300 Applicability 62-214.320 Applications 62-214.330 Acid Rain Compliance Plan and Compliance Options 62-214.340 Exemptions 62-214.360 Department Action on Applications 62-214.370 Revisions and Administrative Corrections 62-214.420 Acid Rain Part Content 62-214.430 Implementation and Termination of Compliance Options Comments are due 01/04/2008.	
FL-2007-138	Air Permits	12/14/2007	FAW Notice #4945174	Proposed Rule	Chapter 62–FDEP 4.090–Renewals Proposed amendments related to the FDEP's Title V air permitting program would extend the lead time for applying for renewal of a Title V permit. Comments are due 01/04/2008.	
FL-2007-139	Air Permits	12/14/2007	FAW Notice #4945368	Proposed Rule	Chapter 62–FDEP 213–Operation Permits for Major Sources of Air Pollution Proposed amendments are related to the implementation of EPA's permitting requirements for Title V sources that are subject to the CAIR, Clean Air Mercury Rule, and Federal Acid Rain Program. The affected Rules include the following: <ul style="list-style-type: none"> 62-213.205 Annual Emissions Fee 62-213.400 Permits and Permit Revisions Required 62-213.420 Permit Applications 62-213.430 Permit Issuance, Renewal, and Revision 62-213.440 Permit Content 62-213.460 Permit Shield 	
FL-2007-140	Air Stationary Sources	12/14/2007	FAW Notice #4945271	Proposed Rule	Chapter 62–FDEP 210–Stationary Sources–General Requirements Proposed amendments are related to the implementation of permitting requirements for Title V sources subject to EPA's CAIR, Clean Air Mercury Rule, and Acid Rain program, such as incorporating CAIR, Mercury Budget, and Phase II NOx Averaging Plan Forms in the Title V permit application process. The affected Rules include the following: <ul style="list-style-type: none"> 62-210.200 Definitions 62-210.300 Permits Required 62-210.360 Administrative Permit Corrections 62-210.900 Forms and Instructions Comments are due 01/04/2008.	

2.4 Hawaii State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Hawaii.

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Louisiana.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA-2007-42	Air Mercury	12/20/2007	Website OS077	Notice	<p>Louisiana Department of Environmental Quality</p> <p>Advanced Notice of Rulemaking and Solicitation of Comments for Mercury Risk Reduction (LAC 33:I.Chapter 27)</p> <p>This rulemaking for mercury risk reduction is intended to do the following:</p> <ul style="list-style-type: none"> Create a comprehensive system for control of mercury-containing products Require notification to the LDEQ by manufacturers of mercury-containing products Phase out mercury-containing products with increasingly stringent restrictions on sales Require manufacturers to provide collection plans for discarded mercury-containing products Provide for labeling of mercury-containing products and public outreach on the danger of mercury Ban certain uses and methods of disposal of mercury-containing products Provide for exemptions to the requirements. <p>Comments are due 02/20/2008</p> <p><u>Some switches and laboratory equipment, particularly older equipment, may contain mercury.</u></p>	NASA and MAF should be aware of this rulemaking.
LA-2007-43	Air NESHAP-Boilers	12/20/2007	Website AQ290ft	Final Rule	<p>Louisiana Department of Environmental Quality</p> <p>Repeal of Incorporation by Reference of 40 CFR 63, Subpart DDDDD (LAC 33:III.501, 3003, and 5122)</p> <p>Repeals Louisiana state requirements implementing the Federal <i>National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters</i> ("Boiler MACT"). On 06/08/2007, the U.S. Court of Appeals for the District of Columbia Circuit vacated the Boiler MACT and the definition for <i>commercial and industrial solid waste incineration unit</i>.</p>	NASA and MAF should be aware of this rulemaking.
LA-2007-44	Air NAAQS-Particulate Matter	12/20/2007	Website AQ288	Proposed Rule	<p>Louisiana Department of Environmental Quality</p> <p>Ambient Air Standards for Particulate Matter (LAC 33:III.701, 703, and 711)</p> <p>Proposal would update the Louisiana air quality regulations to include the revised NAAQS for particulate matter. The proposed revisions are listed below:</p> <ul style="list-style-type: none"> 24-hour PM_{2.5} standard of 65 micrograms per cubic meter being reduced to 35 micrograms per cubic meter Retain the current annual PM_{2.5} standard of 15 micrograms per cubic meter Retain the existing national 24-hour PM₁₀ standard of 150 micrograms per cubic meter Revoke the annual PM₁₀ standard <p>Comments are due 01/31/2008.</p>	
LA-2007-45	Air Periodic Monitoring	12/20/2007	Website AQ289ft	Final Rule	<p>Louisiana Department of Environmental Quality</p> <p>Periodic Monitoring (LAC 33:III.507)</p> <p>This rule adds certain language implementing 40 CFR 70.6(a)(3) to LAC 33:III.507. The Part 70 Operating Permits Program at 40 CFR 70.6(a)(3), generally referred to as EPA's "periodic monitoring rule," requires all Title V permits to include provisions for periodic monitoring where there is no applicable requirement for periodic testing or instrumental or noninstrumental monitoring.</p>	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA-2007-46	Air Toxic Air Pollutants	12/20/2007	Website AQ256	Final Rule	Louisiana Department of Environmental Quality Comprehensive Toxic Air Pollutant Emission Control Program (LAC 33:III.211, 223, 551, 5101, 5103, 5105, 5107, 5109, 5111, and 5112) Makes substantive changes to the above standards. Beginning with the report due in 2008, annual emissions report must be submitted by 31 March of each year. The general provisions for this Rule also have been revised.	
LA-2007-47	Air Toxic Air Pollutants	12/20/2007	Website 0712Pot2	Notice	Louisiana Department of Environmental Quality Comprehensive Toxic Air Pollutant Emission Control Program (LAC 33:III.211, 223, 551, 5101, 5103, 5105, 5107, 5109, 5111, and 5112) LDEQ is currently reviewing and updating the list of Louisiana toxic air pollutants and their associated ambient air standards contained in the Louisiana Comprehensive Toxic Air Pollutant Emission Control Program (LAC 33:III.Chapter 51). Sulfuric acid, MEK, and ammonia currently are being reviewed. Comments are due 03/04/2008.	NASA and MAF should be aware that MEK is being reviewed.
LA-2007-48	Reporting Reportable Quantities	12/20/2007	Website OS078	Final Rule	Louisiana Department of Environmental Quality Notification Requirements and Reportable Quantity List (LAC 33:I.3905, 3919, 3925, and 3931) Some toxic air pollutants were added to the above Chapter (LAC 33:I.Chapter 39) and removed from the Toxic Air Pollutant Control Program (LAC 33:5107.B) in an effort to streamline reporting requirements.	
LA-2007-49	Solid Waste	12/20/2007	Website SW046	Proposed Rule	Louisiana Department of Environmental Quality Solid Waste Exemptions, Containers, and Buffer Zones (LAC 33:VII.301, 503, 508, 709, 717, and 719) This Rule clarifies that a container storing solid waste must prevent leakage into or out of the container. Establishes a 50-foot buffer zone requirement for nonprocessing transfer stations transferring nonputrescible solid waste, such as construction and/or demolition waste. It also clarifies that all adjoining landowners must sign an affidavit allowing any reduction in a facility's buffer zone requirement. Comments are due 01/31/2008.	

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD-2007-14	Air Motor Vehicles	12/07/2007	34:21 Md.R. 2215	Final Action	Department of the Environment Low Emission Vehicle Program Added regulations under COMAR 26.11.34 that implement requirements of the Maryland Clean Cars Act of 2007. Establishes regulations incorporating California's motor vehicle emission standards. Applies to all new 2011 and subsequent model year passenger cars, light-duty trucks, and medium-duty vehicles subject to the California Standards that are transferred in Maryland. Effective date is 12/17/2007.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD-2007-15	Air SIP	12/03/2007	72 FR 67878	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendments to the Control of Volatile Organic Compound Emissions From Portable Fuel Containers [40 CFR Part 52]</p> <p>Proposes to approve a Maryland SIP revision pertaining to the control of VOC emissions from portable fuel containers (COMAR 26.11.13.07). Amendments address kerosene containers; modification of the existing spout regulations; elimination of fuel flow rate, fill level, and automatic shutoff performance standards. Comments are due 01/02/2008.</p>	
MD-2007-16	Air SIP	12/10/2007	72 FR 69621	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendments to the Control of VOC Emissions From Consumer Products (40 CFR Part 52)</p> <p>Approves a Maryland SIP revision pertaining to the control of VOC emissions from consumer products based on the 2006 OTC model rule for consumer products. The amendments affect the following:</p> <ul style="list-style-type: none"> 14 new categories One previously regulated category with a more restrictive VOC limit Two previously regulated categories with additional requirements <p>Effective 01/09/2008. Compliance date is 01/01/2009.</p> <p>Categories affected include aerosol adhesives, electrical cleaners, and other products.</p>	NASA programs and facilities in Maryland should be aware this rule could possibly drive changes in the formulations of affected materials.
MD-2007-17	Radiation Ionizing Radiation	12/07/2007	34:21 Md.R. 2215	Final Action	<p>Department of the Environment</p> <p>Radiation Protection</p> <p>Incorporated by reference (COMAR 26.12.01.01) all provisions of the "Regulations for the Control of Ionizing Radiation (1994)" as amended by Supplement 1 through Supplement 15. Previous provisions only included requirements through Supplement 14. Effective 12/17/2007.</p>	

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in New Mexico.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM-2007-24	Air Quality	12/14/2007	NM Register Vol. XVIII, p. 1158	Rule Amendments	<p>New Mexico Environmental Improvement Board</p> <p>20.2-NMAC Air Quality</p> <p>Revises the New Mexico air quality regulations to adopt the following:</p> <ul style="list-style-type: none"> ▪ 20.2.87 NMAC–Greenhouse Gas Emissions Reporting ▪ 20.2.73 NMAC–Notice of Intent and Emissions Inventory Requirements includes revisions to Sections 6, 7, and 300 <p>Effective 01/01/2008.</p>	WSTF should be aware of the revisions to New Mexico air quality rules.

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-88	Air Emissions Reporting	12/03/2007	Letter Notice	Notice	<p>Division of Air Pollution Control, OEPA</p> <p>New Air Pollution Reporting Software [OAC 3745-24 and 3745-78]</p> <p>DAPC will be releasing the eBusiness Center: Air Services software on 03/03/2008. This software will replace the STARShip software and include additional functionality. The last day STARShip files will be accepted is 02/08/2008. Please see the Web page for additional information.</p>	NASA facilities should note this change.
OH-2007-89	Air Nitrogen Oxides	12/12/2007	Public Notice	Final Rule	<p>Division of Air Pollution Control, OEPA</p> <p>Nitrogen Oxides–Reasonably Available Control Technology [OAC 3745-110]</p> <p>Adopts new OAC Rules 3745-110-01 to 3745-110-05, "Nitrogen Oxides–Reasonably Available Control Technology." These rules are intended to assist in achieving and maintaining the national 8-hour ground level ozone standard through the regulation of NOx emissions for stationary sources, including boilers, combustion turbines, and internal combustion engines. Effective 12/22/2007.</p>	
OH-2007-90	Air SIP	12/05/2007	72 FR 68515	Withdrawal of Direct Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval of Implementation Plans; Ohio; Clean Air Interstate Rule [40 CFR Parts 52 and 97]</p> <p>Withdraws the direct final rule published at 72 FR 58546 on 10/16/2007 approving the State of Ohio's 09/26/2007 request to revise the Ohio SIP by incorporating provisions related to the implementation of EPA's CAIR due to the receipt of adverse comments. EPA will not institute a second comment period on this action.</p>	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-91	Water UIC	12/13/2007	Public Notice	Draft Rule	Division of Drinking and Ground Waters, OEPA Underground Injection Controls [OAC 3745-34] Proposes revisions to reorganize, revise, and condense the requirements for UIC wells. The draft amendments are, in part, a result of the 5-year rule review. Comments are due 01/11/2008.	
OH-2007-92	Water Water Quality	12/10/2007	Public Notice (p. 4)	Notice	Division of Surface Water (DSW), OEPA Water Quality of Sandusky Bay to Lake Erie OEPA DSW has received an application for the renewal of an NPDES permit for the discharge from the City of Sandusky. The City is requesting a WWTP expansion in average daily flow and an increase in loading limits. The proposed discharges are to Sandusky Bay to Lake Erie. The discharges from this facility, if approved, would result in degradation to, or lowering of, the water quality of Sandusky Bay to Lake Erie. However, the chemical-specific water quality criteria in OAC 3745-1 would not be exceeded. Comments are due 02/12/2007.	

2.10 Texas State Regulatory Reviews

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register* published in HTML file format. Current and historical versions of the *Texas Register* in HTML and Adobe Acrobat (.pdf) file format can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX-2007-56	Air <i>De Minimis</i> List	12/07/2007	32 TexReg 9150	Notice	Texas Commission on Environmental Quality Notice of Opportunity for Comments Concerning a Proposed Amendment to the List of <i>De Minimis</i> Facilities or Sources Notice of proposal to amend the " List of De Minimis Facilities or Sources " by adding the following: <ul style="list-style-type: none"> ▪ Application of lubricants, including greases and oils, without aerosol propellants for maintaining equipment and other facilities ▪ Manual application of cleaning or stripping solutions or coatings with brushes, cloth, spray bottle (without aerosol propellant), or tube dispensing equipment, only ▪ Application of aqueous detergents, surfactants, and other cleaning solutions containing less than the specified amounts of any organic compound ▪ Application of aerosol-propelled organic liquids using hand-held devices for maintaining equipment and other facilities where usage is less than 4 aerosol cans per day on a 12 month rolling average basis. If added to the "List of <i>De Minimis</i> Facilities or Sources," the specified facilities or sources are no longer required to obtain authorization before construction. Comments are due 01/07/2008.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX-2007-57	Pollution Prevention Advisory Committee	12/07/2007	32 TexReg 9153	Notice	<p>Texas Commission on Environmental Quality</p> <p>Notice of Request for Nominations to Fill Positions on the Pollution Prevention Advisory Committee</p> <p>Solicits nominations to fill several positions on the Pollution Prevention Advisory Committee. The Pollution Prevention Advisory Committee advises the TCEQ on the following:</p> <ul style="list-style-type: none"> ▪ Organization of state agencies and the financial and technical resources required to promote waste reduction and minimization ▪ Development of public awareness programs to educate citizens about hazardous waste and the appropriate disposal of household hazardous waste and hazardous materials ▪ Technical assistance for local governments for the development of waste management strategies ▪ Other programs to more effectively implement the state's hierarchy of preferred waste management technologies ▪ Development of state purchasing guidelines for "environmentally preferable" products <p>Positions to be filled are two positions for representatives from the regulated community and two representatives from environmental or public interest groups. Nominations are due 01/18/2008.</p>	

2.10.1 PM2.5 Data: Proposed Exceptional-event Flags for Public Review

[Proposed exceptional-event flags for Texas PM2.5 data for 2004–06](#) are available on [TCEQ's website](#). The TCEQ is accepting comments regarding the proposed flags and will forward these comments to EPA. EPA also will review these flags and decide whether to accept or reject each flag. The data with flags for which EPA concurs will be removed from consideration for determinations of compliance with the NAAQS.

2.10.2 TCEQ Offers Tips For Reducing Holiday Waste

With the holiday season upon us, the TCEQ is encouraging Texans to do their part to ensure that family celebrations and gift-giving are safe, happy, and environmentally conscious. Some simple steps that will help reduce waste, conserve water and energy, and help "Take Care of Texas" during the holiday season are available on [TCEQ's website](#).

2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA-2007-52	Water Storm Water	12/10/2007	24:7 Va.R 905	Proposed Rule	State Water Control Board General VPDES Permit for Discharges Associated with Industrial Activity [9 VAC 25-151] Proposes the reissue of the existing industrial activity storm water general permit, which expires on 06/30/2009. Comments are due 01/09/2008.	